IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 7725 of 1993

For Approval and Signature:

HONOURABLE MR.JUSTICE K.A.PUJ

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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RAMESHCHANDRA M JOSHI - Petitioner
Versus
MANAGER - Respondent

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Appearance :
NOTICE NOT RECD BACK for Petitioner.
RULE NOT RECD BACK for Respondent.

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CORAM : HONOURABLE MR.JUSTICE K.A.PUJ

Date : 15/11/2005

ORAL JUDGMENT

1.The petitioner has filed this petition under Article 226 & 227 of the Constitution of India praying for quashing and setting aside the order at Annexure F to this petition wherein it has been decided that the inquiry is legal and proper and it is further prayed for the declaration that the said order is illegal, contrary to law and violative of principles of natural justice. The petitioner has also prayed for quashing and setting aside the award at Annexure A to the petition.

2.The petition was admitted on 06.08.1993. This petition was filed by learned advocate Mr. M.H. Shaikh on behalf of the petitioner. After filing of the petition, learned advocate appearing for the petitioner expired. The Court has, therefore, issued fresh notice to the parties on 29.07.2005. The matter was

thereafter listed on 31.08.2005, 14.09.2005, 22.09.2005, 29.09.2005, 20.10.2005, 28.10.2005 and it has thereafter been listed today. The office endorsement shows that notice issued to the petitioner as well as to the respondent has not been received back. The petitioner's address is the address of the Union, namely, General Engineering Mazdoor Union, Ahmedabad and the respondent Company's address is behind Ajit Mills, Ring Road, Rakhial, Ahmedabad. It appears that neither the petitioner nor the respondent is bothered about the matter which is pending before this Court since 1993. The Court is, therefore, of the view that both the parties have lost interest in the matter. The Court, therefore, without going into the merits of the matter, disposes of this petition granting liberty to the petitioner to file fresh petition in case of any difficulty or if the need so arises.

3.Subject to the above clarification, the petition is accordingly disposed of. Rule discharged without any order as to costs.

[K.A. PUJ, J.]

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